

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CITY OF MURFREESBORO, TENNESSEE,

Plaintiff,

v.

BFI WASTE SYSTEMS OF TENNESSEE,
LLC, et al.,

Defendants.

Case No. 3:22-cv-00605

Judge Eli J. Richardson
Magistrate Judge Alistair E. Newbern

ORDER

The parties have proposed Robert J. Martineau to serve as a special master in this litigation. (Doc. No. 140.) Counsel are ORDERED to meet with Mr. Martineau by December 8, 2023, to determine if there are any conflicts that would prevent him from serving as a special master under the terms of Federal Rule of Civil Procedure 53 and 28 U.S.C. § 455 and, if so, whether those conflicts can be waived; to agree upon an hourly rate for Mr. Martineau's services if appointed as special master, to be equally divided between Plaintiff and Defendants; and to address any questions Mr. Martineau may have regarding the inspections and testing that are the intended primary focus of the special master's appointment.

The parties shall file a joint statement by December 12, 2023, stating (1) whether any conflicts prevent Mr. Martineau's appointment as special master; (2) the agreed-upon hourly rate for Mr. Martineau's services; and (3) whether Mr. Martineau remains available and willing to serve as a special master in this matter.

It is so ORDERED.


ALISTAIR E. NEWBERN
United States Magistrate Judge